

Attorney Docket No. 39262/285776**DECLARATION FOR PATENT APPLICATION**☒ Original☐ Supplemental☐ Substitute☐ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

EXTERNAL FIXATION APPARATUS AND METHOD**(Title of the Invention)**

the specification of which (check one)

☐ is attached hereto☒ was filed on June 26, 2003 as U.S. Serial No. 10/607,010

International Application Number _____

and was amended _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified, by checking the box below, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications			Priority Claimed		Copy Attached	
Application Number	Country	Foreign Filing Date (MM/DD/YYYY)	YES	NO	YES	NO

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below and claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No. 10/607,010
 Filed: June 26, 2003
 Inventors: Ed Austin, et al.
 For: **External Fixation Apparatus and Method**
 Declaration for Patent Application
 Page 2

Parent Application Number	Filing Date	Status (Mark Appropriate Column Below)		
		Patented	Pending	Abandoned
60/439,195	January 10, 2003		x	

As a named inventor, I hereby revoke all prior powers and appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Attorney	Registration No.
Joel R. Petrow	30,886
William B. Clemmons, Jr.	32,558

Attorney	Registration No.
George K. Stacey	35,688
Paul A. Revis	45,040

FIRM NAME: **KILPATRICK STOCKTON LLP**, 1100 Peachtree Street, Suite 2800,
 Atlanta, Georgia 30309-4530

CUSTOMER NO.
30559

Attorney and/or Agent	Registration No.
Roger T. Frost	22,176
Anthony B. Askew	24,154
John M. Harrington	25,592
Robert E. Richards	29,105
John S. Pratt	29,476
James L. Ewing, IV	30,630
Stephen M. Schaetzel	31,418
James Dean Johnson	31,771
Charles W. Calkins	31,814
Larry A. Roberts	31,871
Jamie L. Greene	32,467
George T. Marcou	33,014
Dean W. Russell	33,452
Charles T. Simmons	35,359
Eleanor M. Musick	35,623
Bruce D. Gray	35,799
Mitchell G. Stockwell	39,389
Jeffery B. Arnold	39,540
Brenda Ozaki Holmes	40,339
Michael J. Turton	40,852
Yoncha L. Kundupoglu	41,130
J. Steven Gardner	41,772
Thomas A. Corrado	42,439
John K. McDonald	42,860
Sima Singadia Kulkarni	43,732

Attorney and/or Agent	Registration No.
Camilla Camp Williams	43,992
Christopher J. Chan	44,070
John William Ball, Jr.	44,433
Dawn-Marie Bey	44,442
Tiep H. Nguyen	44,465
Michael J. Dimino	44,657
Lisa C. Pavento	44,669
Kristin L. Johnson	44,807
J. Jason Link	44,874
Goran P. Stojkovich	45,841
Vaibhav P. Kadaba	45,865
J. Michael Boggs	46,563
Tywanda L. Harris	46,758
Cynthia B. Rothschild	47,040
John C. Alemanni	47,384
Geoffrey K. Gavin	47,591
Janina Malone	47,768
Aleta A. Mills	47,794
Eric Sophir	48,499
Todd W. Galinski	51,713
William K. McGreevey	52,012
Elena S. Polovnikova	52,130
Samuel B. Rollins	52,180
David E. Wigley	52,362
Catherine E. Fienning	54,095
Michael A. Bertelson	54,713

U.S. Serial No. 10/607,010
Filed: June 26, 2003
Inventors: Ed Austin, et al.
For: **External Fixation Apparatus and Method**
Declaration for Patent Application
Page 3

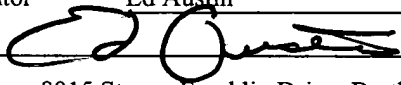
I acknowledge the above-listed attorneys and agents and their firm Kilpatrick Stockton LLP represent my employer (if I am an employee and this application has been or will be assigned to my employer) or the entity with which I have contracted (if I am an independent contractor and this application has been or will be assigned to such entity) and in such cases do not represent me individually. I further acknowledge I have not established, nor will I seek to establish, any personal attorney/client relationship with Kilpatrick Stockton LLP in connection with this application and understand that, should I require legal representation, I will obtain such, at my expense, other than through Kilpatrick Stockton LLP.

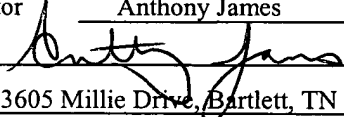
Send Correspondence to: Chief Patent Counsel
Smith & Nephew, Inc.
1450 Brooks Road
Memphis, TN 38116

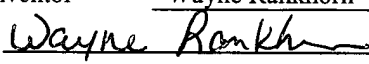
CUSTOMER NO.
30559

Direct telephone calls to: Geoffrey K. Gavin (404) 815-6046

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Ed Austin
Inventor's signature  Date 10-2-03
Residence 8015 Steven Franklin Drive, Bartlett, TN 38133, USA
Citizenship United States
Post Office Address 8015 Steven Franklin Drive, Bartlett, TN 38133, USA

Full name of second inventor Anthony James
Inventor's signature  Date 10-2-03
Residence 3605 Millie Drive, Bartlett, TN 38135, USA
Citizenship United States
Post Office Address 3605 Millie Drive, Bartlett, TN 38135, USA

Full name of third inventor Wayne Rankhorn
Inventor's signature  Date 10/2/03
Residence 185 High Street, Rossville, TN 38066, USA
Citizenship United States
Post Office Address 185 High Street, Rossville, TN 38066, USA

U.S. Serial No. 10/607,010
Filed: June 26, 2003
Inventors: Ed Austin, et al.
For: **External Fixation Apparatus and Method**
Declaration for Patent Application
Page 4

Full name of fourth inventor Johnny Mason
Inventor's signature *Johnny Mason* Date 10/7/03
Residence 4914 Marcel Cove, Memphis, TN 38122, USA
Citizenship United States
Post Office Address 4914 Marcel Cove, Memphis, TN 38122, USA

Full name of fifth inventor Carlos Rodriguez
Inventor's signature *Carlos Rodriguez* Date 10/2/2003
Residence P.O. Box 146, Gleason, TN 38229, USA
Citizenship Venezuela
Post Office Address P. O. Box 146, Gleason, TN 38229, USA